

Robert W. Reid, LLC
OSB # 81434
breid@ipns.com
208 S.W. First Avenue, Suite 220
Portland, Oregon 97204
tel: (503) 223-7786
fax: (503) 227-2477

Attorney For Defendant WINDY N. HARVEY

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

No. CR 08-405 KI

Plaintiff,

vs.

WINDY N. HARVEY,

Defendant.

**DECLARATION OF COUNSEL AS
TO WAIVER OF SPEEDY TRIAL
RIGHTS AND CONSENT TO
EXCLUDABLE DELAY
(FOR AUGUST 29, 2011 TRIAL DATE)**

COMES NOW Robert Reid, attorney for Defendant Windy N. Harvey,
and hereby submits this Declaration of Counsel as to Waiver of Speedy Trial Rights
And Consent To Excludable Delay, in support of the Court's setting the trial date for
August 29, 2011, and counsel's consent thereto.

DECLARATION OF COUNSEL

I represent Windy N. Harvey the Criminal Justice Act. I have asked for

several postponements in this case, and have on each occasion discussed in person with the defendant his constitutional and statutory rights to a speedy trial, as well as the concept of excludable delay under 18 U.S.C. §3161(h)(7)(A). He also had these same rights explained to him more than once by prior counsel. On each occasion Mr. Harvey has indicated his understanding of the rights and waivers involved in each postponement, and I believe, based upon my conversations with him, that his understanding was real, and the waivers were in fact voluntary and knowing on his part. Mr. Harvey, at the last postponement, granted me the authority to agree to whatever I felt was in his best interests, as long as he was kept apprized of scheduling developments.

After the Court ordered the most recent postponement, to which I consented, I wrote the defendant a letter informing him of the new trial date. I asked my investigator to visit him this week, which she did on April 7, 2011. I also asked her to discuss the matter of speedy trial rights and excludable delay, and waivers of both, with Mr. Harvey, and to let him know that I wanted his position on these issues, which were the same issues as the last time we discussed the matter, and I have been informed that he agreed once again to the postponement and waivers. I have no doubt that Mr. Harvey is familiar with these rights at this point, and understands his right to refuse to waive his rights. Mr. Harvey does not want, however, to postpone the trial again, unless it is for a very brief period.

I therefore conclude that Mr. Harvey's waivers and consent are knowing and

voluntary, as well as consistent with counsel's advice.

RESPECTFULLY SUBMITTED this 7th day of April, 2011.

/s/ Robert Reid

Robert Reid (OSB #81434)
Attorney for Defendant Windy N. Harvey
OSB #81434

NOTICE & CERTIFICATE OF SERVICE

Counsel signed above hereby provides notice and certifies that all parties were electronically served with the attached Motion on the 7th day of April, 2011, through the PACER/ECF document filing system of the United States District Court for the District of Oregon